

COMMENTARY

Agreement with Holnam a quiet but significant victory

Sometimes citizens' victories are so incremental they pass by quietly and almost without notice.

But a coalition of local people concerned about health and environmental issues successfully challenged a large multinational corporation — and state regulators — to protect our right to know whether industrial facilities are polluting our air.

The multinational corporation is Holnam, Inc., the Swiss cement company that owns and operates the Trident Cement Plant at Three Forks.

Last winter, Trident applied to change its fuel base to a very high percentage (50 percent) of petroleum coke, a waste product of the petroleum refineries and a notoriously dirty fuel.

Holnam's proposal would have increased the emission levels of sulfur dioxides, nitrogen oxides, and particulate matter. Unfortunately, the state of Montana granted Holnam a permit without requiring the plant to perform previously agreed to testing.

Montanans Against Toxic Burning, the Montana Environmental Information Center, and the Headwaters Chapter of the Sierra Club appealed this permit on the common-sense notion that people deserved to know what was coming out of Holnam's smokestack. Shortly before Thanksgiving this appeal was settled out of court with some good news for all Montanans. Through negotiations, a very reasonable, responsible decision was reached:

- Holnam will install continuous emissions monitoring equipment to monitor sulfur dioxide and nitrogen oxide emissions.

- Emissions monitoring reports will be submitted to the Montana Department of Environmental Quality (and available to the public) quarterly for the first year and semi-annu-



KRIS THOMAS
Guest columnist

The most important thing the public can have is information and that's what continuous emissions monitors will give us — information about what's coming out of the stack, and whether Holnam will be complying with the established emission limits.

It's not the perfect settlement. We're still concerned about emissions, particularly of metals, from burning increased amounts of petroleum coke. However, the monitoring is a good start, and will help us protect our clean air and agricultural economy.

Montana is a state with an under-funded regulatory agency, with serious enforcement challenges. Cement kilns have the periodic problem of "upsets," where something goes wrong inside and then you may see a big belch of smoke.

When that occurs, pollution control equipment shuts down, releasing 100 percent of emissions. And if that cloud of smoke contains toxins they escape into the air and onto the surrounding environment.

You won't want to be fishing the river, camping in Headwaters State Park or, most of all, living downwind when these upsets occur. Yet, Holnam reported more than 600 upsets in the year 2000.

And with petroleum coke and, in the near future with the possibility of burning waste tires as fuel, the upset emissions may become an even greater threat to our health and agricul-

ally after that.

- Within 90 days Holnam will conduct a "source" test to determine the chemical constituents of the smoke stack emissions.

ture. As concerned citizens, our basic question from the start has been "when you burn this stuff, what comes out of the stack?" It seems a simple question but neither Holnam nor the DEQ has come close to answering it.

Our open government process allowed us to question Holnam and the state, and although both Holnam and the state balked when the original appeal was filed, we eventually reached a fair settlement that all parties can live with.

We hope this sets a precedent for Holnam's next controversial proposal — burning tires in its kiln. The right to know is so crucial to our democracy, and to our ability as Americans to protect our health.

In the spirit of the Lewis and Clark bicentennial, I recently joined some other Missouri River enthusiasts to listen to Captain William Clark (as portrayed by Ritchie Doyle) expound on one of our founding fathers, Thomas Jefferson. Captain Clark reminded us that Jefferson gave instructions to every American citizen, to be well informed and vigilant, at all times, as citizens.

"As to the liberty and property of the people," Jefferson said, "there is not safe deposit for them but with the people themselves; nor can they be safe with them without information."

That property of course is not just the land itself but our clean air and water — one of the most tremendous resources of Montana.

Kris Thomas is a member of the board of directors for Montanans Against Toxic Burning (MATB) a grassroots citizens' advocacy group opposed to the burning of dangerous wastes (hazardous, toxic, solid, and medical) in commercial incinerators not originally designed for that purpose.